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60,130-1898; 03MRA0456

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kramer
Serial No.: 10/674,225
Filed: 9/29/2003
Group Art Unit: 3683
Examiner: Torres, Melanie
Title: Extended Range Hall Effect Displacement Sensor
Docket No. 60,130-1898; 03MRA0456

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Dear Sir:

Reconsideration of the final rejection mailed October 27, 2005 is requested.

The rejection of the claims over the combination of McCann, et al. and Reichl, et al. is improper. McCann, et al. discloses a number of sensors that are mounted on a lever. These are load sensors, and not displacement sensors.

Reichl, et al. discloses a particular displacement sensor for a particular application. There is no suggestion to combine Reichl, et al. into McCann, et al. In fact, it would appear the Reichl, et al. sensor would not even be operational in the McCann, et al. environment. McCann, et al. discloses a LOAD sensor for sensing a load on a lever. Why would Reichl, et al. suggest using a displacement sensor? Hindsight.

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Moreover, the examiner in the final rejection explained how he possibly could interpret Reichl, et al. as meeting the non-parallel axis and path limitations. Essentially, the examiner has picked from an axis space. The claim requires that the axis be between the poles, and as explained clearly in the Specification, this would be an axis extending through the two poles. The examiner's interpretation of "between" as any line in space intermediate the two is unreasonable, particularly given the Specification. Moreover, to now explain this limitation, after final rejection, is manifestly unfair to applicant. Applicant is willing to amend the claims to avoid this interpretation, but of course after final, the examiner need not consider an amendment. However, should the Examiner wish to discuss such an amendment, he is urged to telephone applicant's representative.

In sum, the combination of McCann, et al. and Reichl, et al. is improper. The interpretation of Reichl, et al. in the combination, and to separately reject claims 13-17 is unfair and improper.

For the reasons set forth above, allowance of all claims is in order. Such action is earnestly solicited.

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Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

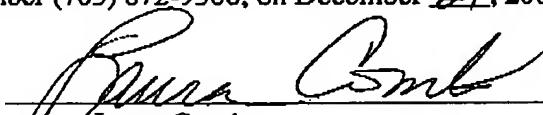


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Dated: December 21, 2005

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (703) 872-9306, on December 21, 2005.


Laura Combs